

**Amendments to the Drawings:**

The attached sheets of drawings includes canceling Figures 6-8 and 11 due to lack of requirement (canceled claims) and introduction of new matter not accorded with originally filed specification. The prior submitted Figure 9, 10, and 13 are renumbered to Figure 6 A, 6B, and 6 C respectively. The attached sheets of drawings includes Figures 1-5 and 6 A, 6 B, and 6 C.

In Figure 1, element 15 does not introduce new matter not accorded with the originally filed specification as reflected in the original specification paragraph 97 to reflect that algorithm(s) are utilized by Dynamic Router within the Communication Management System.

In Figure 1, element 16 does not introduce new matter not accorded with the originally filed specification as reflected in the original specification paragraphs 11, 13, 30, 49, and 99 to reflect that the Caller Identification System, which transmits both the Call Originator Access Number and Call Terminator Access Number as utilized by the Dynamic Router within the Communication Management System.

Earlier amended Figures 6-8 and 11 due to both lack of requirement because of canceled claims and introduction of new matter not accorded with the originally filed specification.

Earlier amended Figure 9, which is a now renumbered as Figure 6 A is amended and depicts table with Call Terminator and Call Originator and InterActMe Access Number for which a communications link is established.

Earlier amended Figure 10, which is a now renumbered as Figure 6 B, is amended and depicts table with Time of Day, Day of Week (i.e., Calendar), Geographic Location, and availability of Short Range Transceiver and InterActMe Access Number for which a communications link is established.

Earlier amended Figure 13, which is a now renumbered as Figure 6 C is amended and depicts the table with Call Terminator and Call Originator and showing parameters for Ring of End-user Communication Device, Voice Mail, and Forwarding information.

Attachment: Replacement Sheets

### **Remarks**

Claims 1, 3, 6, 10, 13-16 and 20-31 were pending prior to the present amendment. Upon entry of the present amendment, Claims 2, 4-12, 15-19, 22, 23 and 27 are canceled. Claims 1, 3, 13, 14, 20, 21, 24-26 and 28-30 are amended claims to correct for informalities and to limit the scope per cited prior art. Claims 32 and 33 are new claims. Only three independent claims are pending and the total number of claims remains less than twenty two, it is believed that no additional claim fees are required.

### **Summary of Amendments**

Applicant has amended independent claims 1 and 26 to further limit the caller identification system to the instance requiring three access numbers.

Applicant has amended independent claim 21 to further limit the communication system being dependent on both a precise geographic location and communications scanned in data.

Applicant has amended claims 1, 3, 13, 14, 20, 21, 24-26 and 28-30 to clearly demonstrate the uniqueness from the cited prior art. These claims now distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 25 to overcome objection and rejection by amending claim 21 for which it inherits.

Applicant has amended claims 24, 25, and 30 to overcome rejection.

Applicant has amended claims 1, 3, 24, and 29-30 to overcome rejection by eliminating inclusion "combinations thereof".

Applicant has amended claims 13 and 26 to overcome rejection and further notes the reference to original specification in paragraphs 11, 13, and particularly 99.

Applicant has amended claim 14 to overcome rejection and further notes the reference to original specification in paragraphs 100 and 101.

Applicant has amended claim 21 to overcome indefinite claiming of both apparatus and method.

Applicant has amended Abstract by eliminating legal phraseology and references to canceled claims, and by adding reference to amended claims reflecting the subset of the original invention.

Applicant has amended drawings to show every feature of the invention.

**Summary of Examiner's Action:**

The Examiner has objected to the Abstract for legal phraseology with reference to MPEP §608.01(b).

The Examiner has objected to the amendment filed 08/01/06 under 35 U.S.C. §132(a) because of new matter.

The Examiner has objected to claim 25 for the informality of the word “data scanners”.

The Examiner has rejected the claims 24-25 and 30-31 under 35 U.S.C. §112 for failing to comply with the written description requirement as claims contain subject matter not described in the specification in such a way as to reasonably convey the relevant art at the time the application was filed.

The Examiner has rejected the claims 1, 3, 6, 10, 13 – 16, and 20, 23, 24 and 26 – 31 under 35 U.S.C. §112 for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner has rejected the claims 15, 21 – 25, 27 and 29 under 35 U.S.C. §101 for failing to direct only to statutory subject matter.

The Examiner has rejected the claims 1, 3, 6, 10, 15 – 16, and 21, 23, and 25 under 35 U.S.C. §102(e) as being anticipated by Bridgelall (USP 7,039,027).

The Examiner has rejected the claims 13-14, 20, 22, 26-29 and 31 under 35 U.S.C. §103(a) as being anticipated by Bridgelall (USP 7,039,027) in view of Tandon.

### **Details of Amendments**

#### **35 USC § 112; Claim Rejections**

The Examiner cited for Claims 24-25 and 30-31 the specific rejection as failing to comply with the written description requirement. Where the Applicant has not traversed, Applicant thanks the Examiner for the careful examination that uncovered these errors. Applicant has addressed this rejection by amending 24-25 and 30, and canceling claim 31. Particular note of original specifications paragraphs [102] and [104] in addition to overcoming the rejection.

The Examiner also cited for Claims 1, 3, 6, 10, 13-16, 20, 23, 24 and 26-31 as failing to particularly point out and distinctly claim the subject matter. Where the Applicant has not traversed, Applicant thanks the Examiner for the careful examination that uncovered these errors. Applicant has addressed this rejection by canceling claims 6, 10, 15, 16, 21, 27, and 31; and amending claims 1, 3, 13, 14, 20, 24, 26, 28-30.

With reference to claims 13 and 26, particular note to original specification paragraphs [11], [13] and specifically paragraph [99] is made in addition to amendments made to overcome the rejection.

With reference to claim 14, particular note to original specification paragraphs [100] and [101] is made in addition to amendments made to overcome the rejection.

With reference to claim 20, amendment was made to the independent base claim 1 to overcome the rejection.

With reference to claim 21, amendment was made to claim only apparatus overcome the rejection.

With reference to claim 25, amendment was made to the independent base claim 21 to overcome the rejection.

With reference to claims 29 and 30, amendments were made to eliminate the term "combinations thereof" to overcome the rejection.

#### **35 USC § 101: Claim Rejections**

The Examiner also cited for Claims 15, 21-25, 27 and 29 as failing to particularly direct only to statutory subject matter. Where the Applicant has not traversed, Applicant thanks the Examiner for the careful examination that uncovered these errors. Applicant has addressed this rejection by canceling claims 15, 22-23 and 27; and amending claims 21, 24-26 and 29 to claim only apparatus in order to overcome the rejection.

#### **35 USC § 102: Claim Rejections**

#### **Bridgelall (USP 7,039,027) Cannot be properly cited to render modified Claims 1, 3, 6, 10, 15-16, 21, 23 and 25 as being anticipated**

The Examiner cited for Claims 1, 3, 6, 10, 15-16, 21, 23 and 25 the specific rejection as being anticipated by Bridgelall (USP 7,039,027). Where the Applicant has not traversed, Applicant thanks the Examiner for the careful examination that uncovered this prior art. Applicant has addressed this rejection by canceling claims 6, 10, 15-16, and 23, and amending claims 1, 3, 21, and 25. The Examiner contends that Bridgelall teaches switching and roaming using GPS and other means, in which Applicant fully agrees with Examiner. With respect to independent Claim 1 applicant has responded by modifying the language to limit the invention

by including dynamic routing with prioritization dependent on all three access numbers of wireless end-user device, call originator, and call-terminator. With respect to independent claim 21 and dependent claim 25 applicant has responded by modifying the language to limit the invention by including dynamic routing with contextual data dependent on location with the further inclusion of data obtained from the wireless end-user device's integrated data scanner. Bridgelall does not utilize integrated data scanners at the end-user device, which Applicant uses to specifically obtain product identification information (e.g., UPC bar code), nor does it anticipate the combination of knowledge of precise geographic location (i.e., within a specific store) for which the combined information can be used to provide comparison shopping, etc.

### **35 USC § 103; Claim Rejections**

#### **Bridgelall (USP 7,039,027) in view of Tandon Cannot be properly cited to render modified Claims 13, 14, 20, 26, 28, and 29 as being anticipated**

The Examiner cited for Claims 13, 14, 20, 22, 26-29 and 31 the specific rejection as being anticipated by Bridgelall (USP 7,039,027) in view of Tandon. Where the Applicant has not traversed, Applicant thanks the Examiner for the careful examination that uncovered this prior art. Applicant has addressed this rejection by canceling claims 22, 27 and 31, and amending claims 13, 14, 20, 26, 28, and 29. The Examiner contends that Bridgelall in view of Tandon teaches caller identification system communication to end-user communication device both the call originator and the desired call terminator access numbers.

With respect to independent claims 13 and 26 applicant has responded by modifying the language to limit the invention by including communication management system communicating to end-user communication device with prioritization dependent on all three access numbers of wireless end-user device, call originator, and call-terminator. Tandon, as per paragraphs [00312] to [00313] does not utilize or anticipate the call agent identifier, which corresponds to applicant's end-user communication device access number and not call terminator access number (i.e., actually is the telephone number for which the incoming phone call is made to). Tandon specifically is utilizing within paragraphs [00312] to [00313] the agent identifier to reserve resources from which the calling agent (which is analogous to applicant end-user communication

device having access number) is desirous of initiating a communication link (i.e., an outgoing call), and not a caller identification system (i.e., caller ID system that notifies end-user communication device of call originator only, which is who has made the incoming call to the receiving phone). Tandon further does not anticipate the desire or demand to reroute an incoming call to voice mail, or to have a distinct ring as a means of indicating to the end-user device based on the combined call originator and call terminator (e.g., an incoming call from a customer calling a work telephone number being routed to a cellular phone (analogous to applicant wireless end-user communication device) during work hours, while this same call during time off would be routed immediately to voice mail without ever ringing the cellular phone). Tandon does not anticipate routing being anything except for a function of resource bandwidth, and not a dynamic function of a time schedule or calendar.

With respect to claim 14 applicant has responded by modifying the language to limit the invention by including communication management system communicating to end-user communication device with prioritization dependent on all three access numbers of wireless end-user device, call originator, and call-terminator. Tandon does not anticipate an incoming call to the calling agent (i.e., end-user communication device which is again as noted in paragraphs [00312] to [00313] is only referencing outgoing calls and not incoming calls) to be receiving incoming phone calls for multiple phone numbers concurrently (i.e., cell phone, work phone, home phone, etc.). Tandon does not anticipate routing being anything except for a function of resource bandwidth, and not a dynamic function of a time schedule or calendar. Furthermore, Tandon makes no note of time of day within the entire patent, nor voice mail, nor any indication at the end-user communication device of any time (e.g., ring, light, indicator, etc.).

With respect to claim 20 applicant has responded by modifying the language to limit the invention by including communication management system communicating to end-user communication device wherein the end-user communication device has an integrated data scanner, and not the network router having intelligent data sources. Tandon in paragraph [0188] is specifically speaking of device boot up, which has nothing to do with post-boot up operation or receiving an incoming call. Tandon within paragraphs [0261]-[0264] clearly states that all communication is a function of QoS (i.e., quality of service), nor that the data being transmitted

is obtained from a device integrated data scanner (i.e., bar code reader) for which pricing information of the scanned (identified via bar code) product will be obtained. Furthermore Tandon within paragraphs [0324]-[0327] and [0354] clearly is referencing network communication data and error checking / correcting procedure that is common to DHCP and Internet protocols. The intelligence of the end-user device is limited to QoS, packet loss, etc. Again, Tandon fails to make any mention of hardware connected to end-user device that obtains external and location specific information of any type. Examiner cites that Tandon's teaching into Bridgelall's system to arrive the claimed invention with a motivation to provide an access network that provide the user more available bandwidth is correct, however, not relevant to the type of data obtained by integrated data scanner limited by applicant to devices that can read product codes.

With respect to claim 28, applicant has modified claims to exclude any network communication issues centered around performance, quality of service, and/or bandwidth; and to limit the invention to functions that indicate a specific indicator (e.g., ring, voice mail, screening-in or screening out filter) dependent on the combination of call originator and call terminator access numbers. Bridgelall in view of Tandon only anticipates bandwidth and quality of service functions impacting dynamic routing of outgoing calls (i.e., not incoming calls).

With respect to claim 29, applicant has modified claims to exclude any use of geographic location impacting routing or connectivity of calling agent (analogous to applicant end-user communication device); and limiting claim with reference of geographic location independent of quality of service and more importantly to amended independent base claim 26.

With respect to claim 24, applicant has modified claims to limit invention utilizing geographic location to vary only the enable/disable of short-range receiver, and/or communication of end-user device profile and/or location information all of which are independent of QoS, bandwidth, signal strength etc. Additionally, claim 24 is dependent on the amended independent base claim 21. Imielinski does not anticipate the privacy rights to broadcast geographic messaging information as a dynamic function of location itself (e.g., end-user communication device not broadcasting location when at work, hospital, neighborhood, etc.



Or more importantly, never broadcasting location of a child to anyone except for parents and only when within neighborhood.).

With respect to claim 30, applicant has amended claim to limit geographic dependent function to end-user initiated information as more limited to information obtained from an end-user integrated data scanner. Imielinski does not anticipate the requirement to obtain product pricing comparison information for a specific product identified via integrated bar code device to identify the precise store or shopping mall where the geographic message or advertising message is dynamic and a function of time of day, user profile, etc. More importantly, claim 30 is dependent on the now modified claims 25 and independent base claim 21.

If the explanation is still unsatisfactory, applicant respectfully requests a telephone interview to try to clarify this term. Otherwise, Applicant respectfully requests withdrawal of the objections and rejections.

### **Summary**

Applicant respectfully submits that the presently pending claims have overcome the Examiner's objections. Accordingly, Applicant respectfully request allowance of the pending claims. Should the Examiner require any further information or wish to discuss any aspect of this Response, Applicant respectfully request that the Examiner contact the undersigned at the telephone number listed below. It is believed that no fees are required for this filing.

Respectfully submitted,

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